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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/071,046

05/04/98

REINOLD

J

MCG00215

EXAMINER

WM01/0228

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BUT, K	
ART UNIT	PAPER NUMBER

2611

DATE MAILED:

02/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

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# Office Action Summary

Application No.

09/071,046

Applicant(s)

Reinold et al.

Examiner

"Krista" Kieu-Oanh Bui

Group Art Unit

2611



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-31 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-31 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2611

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-2, 4-5, 9-10, 12-13, 16-18 and are rejected under 35 U.S.C. 102(e) as being anticipated by Kostreski et al (U.S. Patent No. 5,729,549).

Regarding claim 1, Kostreski et al (or "Kostreski" hereinafter) disclose a system for distributing audio content of a digital audio signal to an analog wireline device, i.e., digital audio sources can be broadcasted to users in audio/video signals for standard (conventional or analog) output device 75 (Fig. 4 and col. 8/lines 10-30), comprising an audio input interface receiving the digital audio signal and identifying an audio bitstream, i.e., the demultiplexer circuitry recognizes the audio input stream via the transport interface module and identifying that bit stream (Fig. 8 and col. 21/lines 8-32); an audio decoding unit connected to the audio input interface and decoding the audio bitstream, i.e., an audio decoder (Fig. 8/item 131 and col. 21/lines 21-26); an audio digital-to-analog converter connected to the audio decoding unit and converting the audio

Art Unit: 2611

bitstream to an analog audio signal (DAC 135L & 135R, mistakenly labeled 134L & 134R in Fig. 8, and col 22/lines 19-35); and an audio output interface connected to the audio digital-to-analog converter and distributing the analog audio signal to the analog wireline device, i.e., either audio analog left and right outputs or RF modulator are used to distribute analog audio signals to analog wireline device, for example, to a standard or conventional television set, by a pair of stereo cable or a coaxial cable, respectively (Fig. 8/Audio Left, Audio Right or RF out, and col. 22/lines 19-59).

As for claims 2 and 10, Kostreski further discloses “an audio digital decryption unit connected to the audio input interface and decrypting the audio bitstream ” and “a video digital decryption unit connected to the video input interface and decrypting the video bitstream”, i.e., decryption circuitry is available for digital audio/video inputs (col. 20/lines 39-67).

With respect to claims 4-5, 12-13 and 18, Kostreski also reveals “wherein the audio and video (for claim 12) output interface distributes the analog audio signal to multiple devices”, i.e., to multiple subscribers and portable PCS (col. 5/line 60-col. 6/line 7); and “wherein the audio and video (for claim 13) input interface receives the digital audio signal from a network”, i.e., within a public wireless packet data network (col. 5/lines 64-67).

Regarding claim 9, Kostreski discloses a system for distributing video content of a digital video signal to an analog wireline device, i.e., digital video sources can be broadcasted to users in audio/video signals for standard (conventional or analog) output device 75 (Fig. 4 and col. 8/lines 10-30) , comprising a video input interface receiving the digital video signal and identifying a

Art Unit: 2611

video bitstream, i.e., the demultiplexer circuitry 127 recognizes the video input stream via the transport interface module and identifying that bit stream (Fig. 8 and col. 21/lines 8-32); a video decoding unit connected to the video input interface and decoding the video bitstream, i.e., a video decoder (Fig. 8/item 128 and col. 21/lines 21-26); a video digital-to-analog converter connected to the video decoding unit and converting the video bitstream to an analog video signal, i.e., NTSC encoder (Fig. 8/item 137 and col. 22/lines 36-59); and a video output interface connected to the video digital-to-analog converter and distributing the analog video signal to the analog wireline device, i.e., to Baseband video or RF out via RF modulator depending on the type of television set (Fig. 8 and col. 22/lines 19-59).

Regarding claim 16, this claim is, a combination of claims 1 and 9, rejected for the reasons given in the scope of claims 1 and 9 as already disclosed above.

As for claim 17, Kostreski discloses to include "a splitter receiving a digital input signal and splitting the digital input signal into the digital audio signal and the digital video signal", i.e., the system MUX acts as a splitter therein in providing separate digital video and digital audio signals (Fig. 8/item 127).

As for claims 21-30, these method claims for applying the system as described above are rejected for the reasons given in the scope of system claims 1-2, 4-5, 9-10, 12-13, and 17 as already disclosed above.

Art Unit: 2611

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al (U.S. Patent No. 5,729,549).

Regarding claims 3 and 11, Kostreski does not reveal "an audio analog decryption unit connected to the audio digital-to-analog converter and decrypting the analog audio signal" and "a video analog decryption unit connected to the video digital to analog converter and decrypting the analog video signal" as claimed; however, it is inherently suggested and included by Kostreski as well since Kostreski reveals the decryption unit combined in a single module, not separately into two units as claimed, for example, a digital decryption unit and an analog decryption unit.

However, a same result is obtained by decrypting signals from digital forms to analog forms for video and audio signals as taught by Kostreski (col. 23/line 53-col. 24/line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to ~~modify~~ <sup>modify</sup> Kostreski's decryption unit for audio/video signals with two separate decryption units, i.e., a digital decryption unit and an analog decryption unit, in handling encrypted digital signals from

Art Unit: 2611

other sources and translating them to analog signals (for analog devices) with a better view in visualizing how the decryption unit works as desired.

5. Claims 6, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al (U.S. Patent No. 5,729,549) in view of Bertram (U.S. Patent No. 6,011,546).

Regarding claims 6, 14 and 19, Kostreski suggests portable PCS in the system (Fig. 4), but Kostreski might not clearly reveal “wherein the audio input interface receives the digital audio signal from a local storage device” and “wherein the video input interface receives the digital video signal from a local storage device”; however, the technique to utilize a local digital source such as from a CD ROM disk or a hard drive is taught by Bertram by using an audio DAC 59 to convert digital audio signals to analog audio signals from audio source CD Drive 54 (Figs. 3-5 and col. 9/line 49-col. 10/line 39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kostreski’s system with an additional feature such as “obtaining digital audio signal from a local storage device” as suggested by Bertram in expanding the distributing source not only from a network but also from a local storage device as desired.

6. Claims 7-8, 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al (U.S. Patent No. 5,729,549) in view of Schulhof et al (U.S. Patent No. 5,841,979).

Art Unit: 2611

Regarding claims 7-8, 15 and 20, Kostrestri does not clearly reveal “wherein the audio input interface receives the digital audio signal produced by a text-to-speech application” and “wherein the audio input interface receives the digital audio signal produced by a digital musical instrument” and “wherein the video input interface receives the digital video signal produced by a digital video camera” as claimed; however, Schulhof teaches in his enhanced delivery of audio data the same technique for users to receive “the digital audio signal produced by a text-to-speech application” (Schulhof, Figs. 1-2, and col. 6/lines 47-65) and “the digital audio signal produced by a digital musical instrument”, i.e., a Sony portable digital recordable mini-CD (Schulhof, col. 2/line 65-col. 3/line 38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kostreski’s system with Schulhof’s disclosed technique in using a text-to-speech application and the concept of utilizing digital audio signal from digital musical instruments, such as a Sony portable digital recordable mini-CD or a digital camera, as some of vast available resources on the market for the described system to use as preferred.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Birch et al. (U.S. Patent No. 5,757,416) disclose a system and method for transmitting a plurality of digital services including imaging services.

Art Unit: 2611

Newlin et al. (U.S. Patent No.5,877,821) disclose a multimedia input and control apparatus method for multimedia communications.

Newlin (U.S. Patent No.6,011,579) disclose an apparatus and method for wireline audio and video conferencing with network interactive.

Ganesan et al. (U.S. Patent No.5,758,294) disclose a radio port in a wireless personal communication system.

**8. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 308-6306 or (703) 308-6296, (for formal communications intended for entry)

**Or:**

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT").

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Thursday from 9:00 AM to 6:00 PM, with alternate Fridays off.

Serial Number: 09/071,046

Page 9

Art Unit: 2611

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.



**ANDREW FAILE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

Krista Bui  
Art Unit 2611  
February 20, 2001